### REMARKS

By this amendment, Applicant has amended claims 3, 6, 23, 24, 29, 31, 32, 39, and 40 to write them as independent claims as suggested by the Office Action, and to secure allowance of those claims. Claim 26 has been amended to change its dependency. Claims 1-2, 4-5, 22, 26-28. 30, and 38 have been canceled to secure allowance of the application, although Applicant maintains its arguments that they are each allowable (the claim language not having been shown to be present in the prior art, as stated in Applicant's previous replies, incorporated herein by reference but not repeated for the purposes of brevity) and reserves the right to file them in a later continuation application. Claims 3, 6-21, 23-25, 29, 31-37, and 39-44 remain for consideration in the application.

## Claim Objections

Applicant is unable to determine from the Claim Objections of the Office Action which claims might be objected to. However, as all the claims remaining in the application have either been allowed or indicated as allowable (see paragraph 7, page 7 of the Office Action), Applicant submits that any objections are overcome.

#### Claim Rejections Under 35 U.S.C. § 102

Claims 1-2, 4-5, 8, 22, 26-28, 30, 34, 38 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kellogg et al. (U.S. Patent No. 5,896,404). Claims 1-2, 4-5, 22, 26-28, 30, and 38 have been canceled. Applicant has amended claim 28 to change its dependency to allowable claim 24. Further, claims 8 and 34 depend from allowable claims, and are also believed allowable.

#### Allowable Subject Matter

Claims 3, 6-7, 23-25, 29, 31-33, 39-41 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Applicant has amended claims 3, 6, 23, 24, 29, 31, 32, 39, and 40 as suggested.

Applicant thanks the Examiner for the allowance of claims 9-21, 35-37, 42-44.

RESPONSE TO NON-FINAL OFFICE ACTION

Serial No. 10/781,125

Title: USER SELECTABLE BANKS FOR DRAM

PAGE 10 Attorney Docket No. 400.149US02

# **CONCLUSION**

In view of the above remarks and amendments, Applicant believes that all pending claims are facially in condition for allowance and respectfully requests a Notice of Allowance be issued in this application. Please charge any further fees deemed necessary or credit any overpayment to Deposit Account No. 501373.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at (612) 312-2203.

Respectfully submitted,

Date: 11 Oct. 2066

Daniel J. Polglaze

Reg. No. 39,801

Attorneys for Applicant Leffert Jay & Polglaze P.O. Box 581009 Minneapolis, MN 55458-1009 T (612) 312-2200 F (612) 312-2250